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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANTS: PETER JAMES WOOLF, ET AL. EXAMINER:
SERIAL NO : 09/778,956 ART UNIT:
FILED : FEBRUARY 8, 2001 PAPER NO.:
FOR : A METHOD OF ANALYZING GENE EXPRESSION DATA USING
FUZZY LOGIC

PETITION TO THE COMMISSIONER
UNDER 37 C.F.R. 1.181

March 21, 2002

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
APR 15 2002

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APR 10 2002
OFFICE OF PETITIONS

Dear Sir:

GROUP 3000

Applicants respectfully petition the Commissioner to direct the acceptance of the enclosed formal drawings that were not earlier submitted in a timely manner. Applicants believed they had complied with all requirements of a Notice to File Missing Parts of Nonprovisional Application and inadvertently failed to see that a new set of drawings were requested. The facts are as follows:


A Notice to File Missing Parts of Nonprovisional Application was mailed on March 29, 2001. The Notice set forth in the primary body that Applicants were required to submit the basic filing fee, a fee for claims in excess of 20, an oath or declaration and a surcharge fee. Applicants were given two months in which to comply with these requirements. Applicants did in fact comply with these requirements on August 16, 2001. All fees including fees for an extension of time were paid.

Applicants, through inadvertence and without any deceptive intent, failed to recognize a subsection of the Notice to File Missing Parts of Nonprovisional Application that requested that substitute drawings be submitted. In fact, a full set of drawings had been submitted with the application as originally filed on February 8, 2001, however substitute drawings were requested because the margins were allegedly not in accordance with 37 C.F.R. 1.84(g). Applicants submit herewith a set of drawings that are identical to those originally submitted except for a modification of the margins.

Applicants submit that all basic requirements for a complete filing were timely met. Indeed, Applicants were awarded the filing date upon which they originally submitted the application. Moreover, 37 C.F.R. 1.85(c) provides that corrected drawings may be submitted following a Notice of Allowance. In the instant case, no Office Actions have been issued to date. Accordingly, Applicants request that the substitute drawings submitted herewith be entered into the file of the above-captioned application.

The Commissioner is hereby authorized to charge any fees as set forth under 37 C.F.R. 1.17 to Deposit Account No. 23-0455. Authorization is also given to charge any additional fees or credit any overpayment to same deposit account.

Respectfully submitted,



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Attachment

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